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FIRST NAMED INVENTOR ATTORNEY DOCKET NO. FILING DATE APPLICATION NO. 09/097,307 06/12/98 NARASIMHAN Α 02964.P004 **EXAMINER** WM01/0710 BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LOGSDON. **ART UNIT** PAPER NUMBER 12400 WILSHIRE BOULEVARD, SEVENTH FLOOR LOS ANGELES CA 90025 2662 DATE MAILED:

07/10/01

Please find below and/or attached an Office communication concerning this application or proceeding.

**Commissioner of Patents and Trademarks** 

AMS

no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.135(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (f) the expiration date of the shortened statutory period for reply originally set in the final direction; or 20 as set from in (a) above, if checked. Any replanetism of the other later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patient term adjustment. See 37 CFR 1.174(b).  1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  2. The proposed amendment(s) will not be entered because:  (a) \( \frac{1}{2} \) they raise new issues that would-require further consideration and/or search (see NOTE below);  (b) \( \frac{1}{2} \) they raise the issue of new matter (see Note below);  (c) \( \frac{1}{2} \) they raise the issue of new matter (see Note below);  (d) \( \frac{1}{2} \) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) \( \frac{1}{2} \) they present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: \( \frac{3}{2} \) Execution the following rejection (s):	, • <b></b>	Application No.	_∆pplicant(s)	
Lexaminer   Joe Logsdon   Jo	Advisory Action	09/097,307	ARASIMHAN ET AL.	
THE REPLY FILED 02 July 2001 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, Intrite action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.136 may gnly be either. (1) a timely filed damendment which places the applicant is condition for allowance. (2) a timely filed follows of Appeal (with appeal fee); or (3) a timely filed Application in condition for allowance. (2) a timely filed Application for Continued Examination (RCE) in compliance with 37 CFR 1.114.  PERIOD FOR REPLY (check either a) or b)]  a) The period for reply expires 3_months from the mailing date of the final rejection.  The period for reply expires 3_months from the mailing date of the final rejection.  The period for reply expires 3_months from the mailing date of the final rejection.  The period for reply expires 3_months from the mailing date of the final rejection.  The period for reply expires 3_months from the mailing date of the final rejection.  The period for reply expires 3_months from the mailing date of the final rejection.  The period for reply expires 3_months from the mailing date of the final rejection.  The period for reply expires 3_months from the mailing date of the final rejection.  The period for reply expires 3_months from the mailing date of the final rejection.  The period for reply expires 3_months from the mailing date of the final rejection.  The period for reply expires 3_months from the mailing date of the final rejection.  The period for reply expires 3_months from the mailing date of the final rejection.  The period for reply expires 3_months from the mailing date of the final rejection.  The period for final period for reply expirate dates and the corresponding amount of the fer. The appropriate extension fee under 37 CFR 1.178(a) is a calculated from: (1) the expiration date of the shorthened statutory period for reply originally set in the final office action; or good as a few forms and the corresponding from the		Examiner	Art Unit	
THE REPLY FILED 02 July 2001 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either. (1) a timely filed amendment which places the application in condition for allowance, (2) a timely filed Notice of Appeal (with appeal feet), or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.  PERIOD FOR REPLY (check either a) or b)  The period for reply expires 2 months from the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In or event. however, will the statutory period for reply expire star frains and the start of the start of the period for reply expires 2. months from the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In or event. however, will the startiory period for reply expire later than 3X MONTHS from the mailing date of the Advisory Action, or (2) the date set from the final rejection. ONLY OFFICE THIS BOX WHEN THE ITEMST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REPLICTION. See MFEP 706.07(i).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been fled is the date for purpose of determining the period of extension and the corresponding amount of the feet. The appropriate extension from the office and the purpose of final the final rejection, even if timely filed and the purpose of the final fregion of the final fregion of the final fregion of the final fregion of the final freg		Joe Logsdon	2662	
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a) The period for reply expires 3 months from the mailing date of the final rejection. The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In one vent, however, with the statutory period for reply expire later than StM MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 765.07(9).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee under 37 CFR 1.136(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or 20 as set forth in (b) above, it checked. Any reply received by the Office later than three months after the mailing date of the shortened statutory period for reply originally set in the final Office action; or timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.794(b).  1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  2. The proposed amendment(s) will not be entered because:  (a) \( \text{ they raise new issues that would require further consideration and/or search (see NOTE below);} \)  (b) \( \text{ they raise the issue of new matter (see Note below);} \)  (c) \(  they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or when the proposed date and the application in condition and claims without canceling a corresponding number of finally rejected claims.  NOTE: See Continuation Sheet.  3. \( \text{ Applicant's reply has overcome the following rejection(s):	Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may <u>only</u> be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued			
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9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s).	Claim(s) withdrawn from consideration:			
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U.S. Patent and Trademark Office PTO-303 (Rev. 04-01)





Continuation of 2. NOTE:

With regard to claims 10 and 11, according to original claim 10, the message queue receives a detailed receipt. According to amended claim 10, however, the message queue may or may not receive a detailed receipt.

Continuation of 5. does NOT place the application in condition for allowance because:

With regard to claims 1-7, the Gateway in Kelly is connected to a third network type, i.e., a virtual network involving the PSTN, Webphone clients, and Webphone agents.

With regard to claims 8 and 9, no third network type is discussed in the specification. The outbound resource is therefore not described as being adapted to communicate with a third network type. Therefore, the specification does not describe a "second server," as described in claim 1, as dialing a destination fax, paging a terminal, or delivering a notification message.

With regard to claims 12-14, the specification fails to define "rates," "resources," or "cost." The term "rate" when applied to a "resource" could mean "data rate," and the "cost" could involve several criteria such as capacity requirement and hop count. The only example of "cost" or "rate" appears in TABLE 8; there the example is "dollars per second, etc." But this example pertains to a "rate" for a particular city, as stated in TABLE 8, and it is unclear from the specification whether Applicant intends a "resource" to be a city.